



**ORDINANCE O-110-2023**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 12.737+/- ACRES OF LAND LOCATED TO THE NORTHWEST OF AND ADJACENT TO THE INTERSECTION OF NEW ALBANY-CONDIT ROAD AND NEW ALBANY ROAD EAST, FROM INFILL PLANNED UNIT DEVELOPMENT (I-PUD) TO LIMITED GENERAL EMPLOYMENT (L-GE) FOR AN AREA TO BE KNOWN AS THE "NORTH CITY BUSINESS ZONING DISTRICT" AS REQUESTED BY THE NEW ALBANY COMPANY, LLC C/O AARON UNDERHILL, ESQ.**

**WHEREAS**, the council of the city of New Albany has determined that it is necessary to rezone certain property located within the city to promote orderly growth and development of lands; and

**WHEREAS**, the Rocky Fork-Blacklick Accord Panel, New Albany Planning Commission, and New Albany City Council on separate occasions have held public hearings and received public input into the amendment of the zoning ordinance; and

**WHEREAS**, pursuant to the application by The New Albany Company, LLC c/o Aaron Underhill, Esq., the Rocky Fork-Blacklick Accord Panel and the New Albany Planning Commission reviewed the proposed ordinance amendment and recommended its approval.

**NOW, THEREFORE, BE IT ORDAINED** by council for the city of New Albany, counties of Franklin and Licking, State of Ohio, that:

**Section 1.** Council hereby amends the zoning ordinance map of the city of New Albany to change the zoning classification of the following described site:

- A. A 12.737+/- acre site within Franklin County, located to the northwest of and adjacent to the intersection of New Albany Condit Road and New Albany Road East, from its current zoning of Infill Planned Unit Development (I-PUD) to Limited General Employment (L-GE).
- B. The zoning district's limitation text and boundary map are hereby attached and marked Exhibit A.

**Section 2.** It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

**Section 3.** Pursuant to Article 6.07(B) of the New Albany Charter, this ordinance shall become effective thirty (30) days after adoption.

**CERTIFIED AS ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**Attest:**

\_\_\_\_\_  
Sloan T. Spalding  
Mayor

\_\_\_\_\_  
Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

\_\_\_\_\_  
Benjamin S. Albrecht  
Law Director

**Legislation dates:**

Prepared: 12/06/2023

Introduced: 12/19/2023

Revised:

Adopted:

Effective:

## NORTH CITY BUSINESS ZONING DISTRICT

### LIMITATION (L-GE) TEXT

December 6, 2023

I. Summary: The North City Business Zoning District (hereinafter, the “Zoning District”) consists of 12.737+/- acres located to the northwest of and adjacent to the intersection of New Albany-Condit Road and New Albany Road East. The property is presently undeveloped and is generally bisected from southwest to northeast by a 110-foot wide gas line easement. To the north is the Nottingham Trace residential subdivision, including a 23+ acre park that is to the northwest of and adjacent to the subject site. To the north of and adjacent to this zoning district is a tract of property that is zoned to allow future development of retail and service uses, and to the east across New Albany-Condit Road is the Canine Companions for Independence campus. An undeveloped property is located to the west, and across New Albany Road East to the south is the Discover Financial call center facility.

The New Albany Company LLC (“NACO”) is the applicant and seeks to apply the L-GE, Limited General Employment zoning designation to the subject property. In 2021, this property was approved with an I-PUD zoning designation (Cornerstone Academy I-PUD District) to facilitate the development and operation of a public charter school campus for Cornerstone Academy. After that rezoning was approved, Cornerstone entered into a lease with the owner of an existing building located at 7525 West Campus Road, formerly known as NACOT I and located to the southwest of this proposed Zoning District. The intent was to provide a temporary location for Cornerstone High School until such time as the new campus could be developed on the property that is the subject of this application. However, the use of the building was a great fit for the school, and Cornerstone Academy has now determined that it would like to remain on that site permanently and also acquire an adjacent building and other improved and unimproved real property to develop its campus at that other location. As part of that plan, Cornerstone Academy is acquiring an undeveloped parcel that is owned by NACO in exchange for the transfer of the property within this Zoning District to NACO. NACO seeks to rezone the property it is acquiring into the L-GE zoning classification, which was the zoning of the property before the approval of the Cornerstone Academy I-PUD.

II. Zoning Designation: L-GE, Limited General Employment District

III. Permitted Uses: The permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, GE, General Employment District, Sections 1153.02 and 1153.03 shall be allowed to be developed and operated in this Zoning District, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses. The following uses from these code sections shall be prohibited:

- A. Industrial product sales (See Section 1153.03(a)(1));
- B. Industrial service (See Section 1153.03(a)(2));
- C. Mini-warehouses (See Section 1153.03(a)(4)(c)). For purposes of clarification,

this prohibition only applies to such facilities that are made available for rental to the general public;

- D. Personal service (See Section 1153.03(b)(2)) and retail product sales and service (See Section 1153.03(b)(3)), except that such uses shall be allowed as accessory uses to a permitted use in this Zoning District;
- E. Vehicle services (See Section 1153.03(b)(4));
- F. Radio/television broadcast facilities (See Section 1153.03(c)(1));
- G. Sexually-oriented businesses (See Section 1153.03(c)(3)); and
- H. Off-premises signs (See Section 1153.03(c)(2)).

IV. Lot and Setback Commitments:

A. Lot Coverage: There shall be a maximum lot coverage in this Zoning District of 75%.

B. Setbacks:

1. New Albany-Condit Road: There shall be a minimum pavement and building setback of 125 feet from the right-of-way of New Albany-Condit Road.

2. New Albany Road East: There shall be a minimum pavement and building setback of 125 feet from the right-of-way of New Albany Road East.

3. Other Perimeter Boundaries: There shall be a minimum pavement and building setback of 25 feet from all perimeter boundaries of this zoning district that are not adjacent to a public right-of-way.

4. Interior Setbacks: There shall be a zero setback requirement for pavement and buildings from property lines that are interior to this zoning district (i.e., those property lines which are not perimeter boundary lines).

5. Elimination of Setbacks: In the event that a parcel located within this Zoning District and an adjacent parcel located within or outside of this Zoning District (i) come under common ownership or control, (ii) are zoned to allow compatible non-residential uses, and (iii) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text as they apply to common property lines shall no longer apply with respect to these parcels.

V. Architectural Standards:

A. Building Height: The maximum building height for structures in this Zoning District shall be 65 feet, subject to Section 1165.03 of the Codified Ordinances.

B. Service and Loading Areas: Service areas and loading areas shall be screened in accordance with the Codified Ordinances.

C. Building Design:

1. Building designs shall not mix architectural elements or ornamentation from different styles.
2. Buildings shall be required to employ a comparable use of materials on all elevations.
3. The number, location, spacing, and shapes of windows and door openings shall be carefully considered. Primary entrances to buildings shall be made sufficiently prominent that they can be easily identified from a distance.
4. For office buildings and complexes, achieving a human or pedestrian scale is of less concern. When achieving such a scale is desired, it may be achieved by careful attention to width of facades, size and spacing of window and door openings, and floor to floor heights on exterior walls.

All elevations of a building that are visible from a public right-of-way shall receive similar treatment in terms of style, materials, and design so that such elevations are not of a lesser visual character than any other. 6. Use of elements such as shutters, cupolas, dormers, and roof balustrades shall be avoided in building designs that are not based on traditional American architectural styles. Such elements may be employed only when they are common elements of a specific style, and this style shall be replicated in its entirety. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.

5. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed, located, or screened so as to minimize their visibility and visual impact from off-site. Solar energy systems and solar panels shall be excluded from the requirements of this section and shall be subject to current requirements in the Codified Ordinances and to future requirements found in the Codified Ordinances for any solar energy systems of solar panels installed after such future requirements are adopted.

6. Accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and construction as the nearest primary structure. Fenestration themes that employ windows, panels and piers that are consistent with the architectural vocabulary of the building are encouraged. Accessory structures, generators, storage tanks, trash receptacles or any other similar improvement must be located behind a building façade that does not front on a public right-of-way.

D. Building Form:

1. All building elevations shall be designed to be compatible with each other and to reflect a consistent design approach.
2. Gable or hip roofs shall be avoided unless a building design replicates a traditional American architectural style that employs such roof forms. In non-stylistic contemporary designs, low or flat roofs may be employed. Roof visibility shall be minimized.

E. Materials:

1. Exterior building materials shall be appropriate for contemporary suburban designs and shall avoid overly reflective surfaces. Traditional materials such as, but not limited to, wood, stone, brick, and concrete shall be permitted, and contemporary materials such as, but not limited to, aluminum, metal, glass, stucco, or cementitious fiberboard (e.g., hardiplank or equivalent) shall be permitted on buildings not employing traditional styles. Architectural precast concrete panels and/or poured-in-place concrete tilt-up panels shall be permitted. The use of reflective or mirrored glass shall be prohibited.
2. Prefabricated metal buildings and untreated masonry block structures are prohibited. Notwithstanding the foregoing, ancillary structures built and operated for the purpose of enclosing equipment and which are not occupied by tenants or persons on a regular basis may be constructed using pre-engineered metal.
3. Generally, the quantity of materials selected for a building shall be minimized. A single material selection for the independent building components of roof, wall and accents is permitted (i.e., Architectural Grade shingle roof with Brick Masonry wall and EIFS Cornice and Accents). Building color palettes shall be simple and unobtrusive to avoid overly bright or jarring colors, subject to the review and approval of the City Architect.
4. Loading docks are not required to have the same degree of finish as a main entry unless they are visible from a public right-of-way.
5. Additional Standards for Uses Not Governed by DGRs: Buildings that are constructed to accommodate certain uses are not governed by the City's Design Guidelines and Requirements (DGRs). For example, buildings that are constructed for the operation of data centers, warehousing and/or distribution uses are not subject to the DGRs and can present challenges in meeting the community standard for architectural design. Such buildings are necessarily large and typically include long walls that together form a square or rectangular box. The goal for the development of buildings that are not subject to the DGRs is to balance the practical needs of these buildings with the desire to provide exterior designs that are

attractive and complimentary to the architecture that will be found elsewhere in this Zoning District.

Architecture by its nature is a subjective medium, meaning that the adoption of strict objective standards in all instances may not provide the best means for achieving appropriate design. In recognition of this fact, the standards set forth herein provide guidelines and suggestions for designing buildings that are not subject to the DGRs in an effort to set expectations for the quality of architecture that will be expected for these structures. On the other hand, these standards are meant to allow for some flexibility to encourage innovative design provided that the spirit and intent of these provisions are met.

In conjunction with an application for a certificate of appropriateness for each building or structure in this Zoning District that is not subject to or governed by the DGRs, the applicant shall be required to submit to the City illustrations of the proposed exterior design of the building or structure for review and approval by the Design Review Committee contemplated in Section 1157.08(a)(1)(D) of the City Code. In designing such buildings, the user or applicant shall consider the following, which are intended to set a level of expectation for the quality of design:

a. Architectural design for all portions of a building or structure that are visible from a public right-of-way (excluding public rights-of-way whose primary purpose is to accommodate truck traffic or service loading areas) shall meet the community standard in terms of quality while considering the unique nature of the use(s) that will be found therein.

b. Uninterrupted blank wall facades shall be prohibited to the extent that they are visible from a public right-of-way. Design variations on long exterior walls shall be employed in order to create visual interest. Examples of such design variations include, but are not limited to, the use of offsets, recesses and/or projections, banding, windows, and/or reveals; scoring of building facades; color changes; texture or material changes; and variety in building height.

c. The use of one or more architectural or design elements may be used to soften the aesthetics of the building, such as but not limited to canopies, porticos, overhangs, arches, outdoor patios, community spaces, or similar devices.

d. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.

e. Landscaping and/or the use of existing vegetation shall be utilized where appropriate to enhance the aesthetics of the building and to lessen its visual impact when viewed from public rights-of-way.

6. Roof-Mounted Equipment: Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and to buffer sound generated by such equipment.

VI. Access, Parking, Site Circulation, and Traffic Commitments:

A. Street Rights-of-Way: Right-of-way shall be dedicated to the City for a distance of 50 feet as measured from the centerline of New Albany-Condit Road and for a distance of 50 feet as measured from the centerline of New Albany Road East. Easements shall be required to be granted prior to the issuance of a building permit in this Zoning District adjacent to public street rights-of-way at a distance necessary to accommodate city street capital improvement projects when insufficient right-of-way exists to accommodate these improvements.

B. Vehicular Access: The developer shall work with the City Manager or their designee to determine the need for appropriate timing and phasing of street improvements to serve this Zoning District. Prior to being issued a building permit for construction or development within this Zoning District, a Traffic Impact Study shall be submitted to the City for review and approval by the City Engineer, unless a waiver of the requirement for this study or approval of less than a full study is provided by the City Engineer. Subject to other provisions in this text, on public rights-of-way which exist on the date of this text the number, locations, and spacing of curbcuts shall be determined and approved by the City Manager or their designee in consultation with the developer at the time that a certificate of appropriateness is issued for a project in this Zoning District.

C. Parking and Loading: Parking and loading spaces shall be provided for each use per Chapter 1167 of the Codified Ordinances of the City of New Albany.

VII. Buffering, Landscaping, Open Space, and Screening: A landscaping plan shall be approved as part of the City's review of a certificate of appropriateness application for each portion of this Zoning District that is proposed for development. The following landscaping requirements shall apply to this Zoning District:

A. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within perimeter and stream setbacks in this subarea. Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

B. New Albany-Condit Road and New Albany Road East Landscape Treatments: A landscape treatment consisting of an average of 10 trees per 100 lineal feet of road frontage shall be installed and maintained along New Albany-Condit Road and New Albany Road East within a distance of 55 feet from the right-of-way, unless otherwise prohibited by an existing gas line easement that runs through the property. These trees shall consist of a mix of deciduous and evergreen species that are native to Ohio, with the locations, number, and spacing to be reviewed



as part of a final development plan. Mounds shall be installed where possible, subject to the city landscape architect, and trees shall be installed on a mound that has a slope not to exceed 6:1 on the side facing the public street. The mound shall be a minimum of 3 feet and a maximum of 12 feet in height, and its design shall be reviewed as part of a final development plan. 70% of required trees shall be planted on the street side of the mound, and no trees shall be located within the upper quartile crest of the mound.

C. Parking Lot Landscaping: Within this Zoning District, there shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular use area shall be landscaped or green space (or treed areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles. The landscaped areas shall be arranged in such a manner so as to visually break up large expanses of pavement and provide landscaped walking paths between parking lots and the main buildings.

D. Leisure Trails: An existing asphalt leisure trail with a width of 8 feet has been constructed along the zoning district's frontage along New Albany Road East. An asphalt leisure trail with a width of 8 feet shall be constructed by the applicant/developer along the zoning district's frontage on New Albany-Condit Road. This leisure trail shall be constructed to connect to the existing leisure trail that is located along the site's frontage on New Albany Road East.

E. White Horse Fence: A four-board white horse fence has been installed along the zoning district's frontage along New Albany Road East. A four-board white horse fence shall be installed along the zoning district's frontage on New Albany-Condit Road. The existing four-board white horse fence along New Albany Road East shall remain.

F. Stream Corridor: A Stream Corridor Protection Zone shall be provided along the stream that generally runs east-west along the northern boundary line of this Zoning District. It shall be a minimum of 50 feet in width as measured southward from the centerline of the stream, it being the intent that a similar protection zone shall be provided by the property owners located to the north of the stream. Within the Stream Corridor Protection Zone, no improvements shall be permitted other than landscaping, and an asphalt leisure path running east-west with a location to be approved by City staff. Such leisure path shall connect to New Albany-Condit Road on the east and shall stub to the existing off-site public park to the northwest of this Zoning District.

G. Street Trees: Existing street trees along New Albany Road East shall remain and be maintained. Street trees shall be installed on New Albany-Condit Road at the rate of 4 trees per 100 linear feet. Notwithstanding the foregoing, tree spacing on public streets may deviate from this spacing requirement if necessary or appropriate to provide a desirable streetscape, as approved by City staff. Street trees shall be a minimum of 3 inches in caliper at installation. Trees shall not obstruct sight distance or signage, subject to staff approval. All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation.

H. Stormwater Management: Wet and dry stormwater basins shall conform to the standards set forth in Section 1171.08 of the Codified Ordinances of the City of New Albany.

J. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at

installation shall be no less than two and one half (2 ½) inches in caliper for shade trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

VIII. Lighting:

A. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

B. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 30 feet in height.

C. Lighting details shall be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

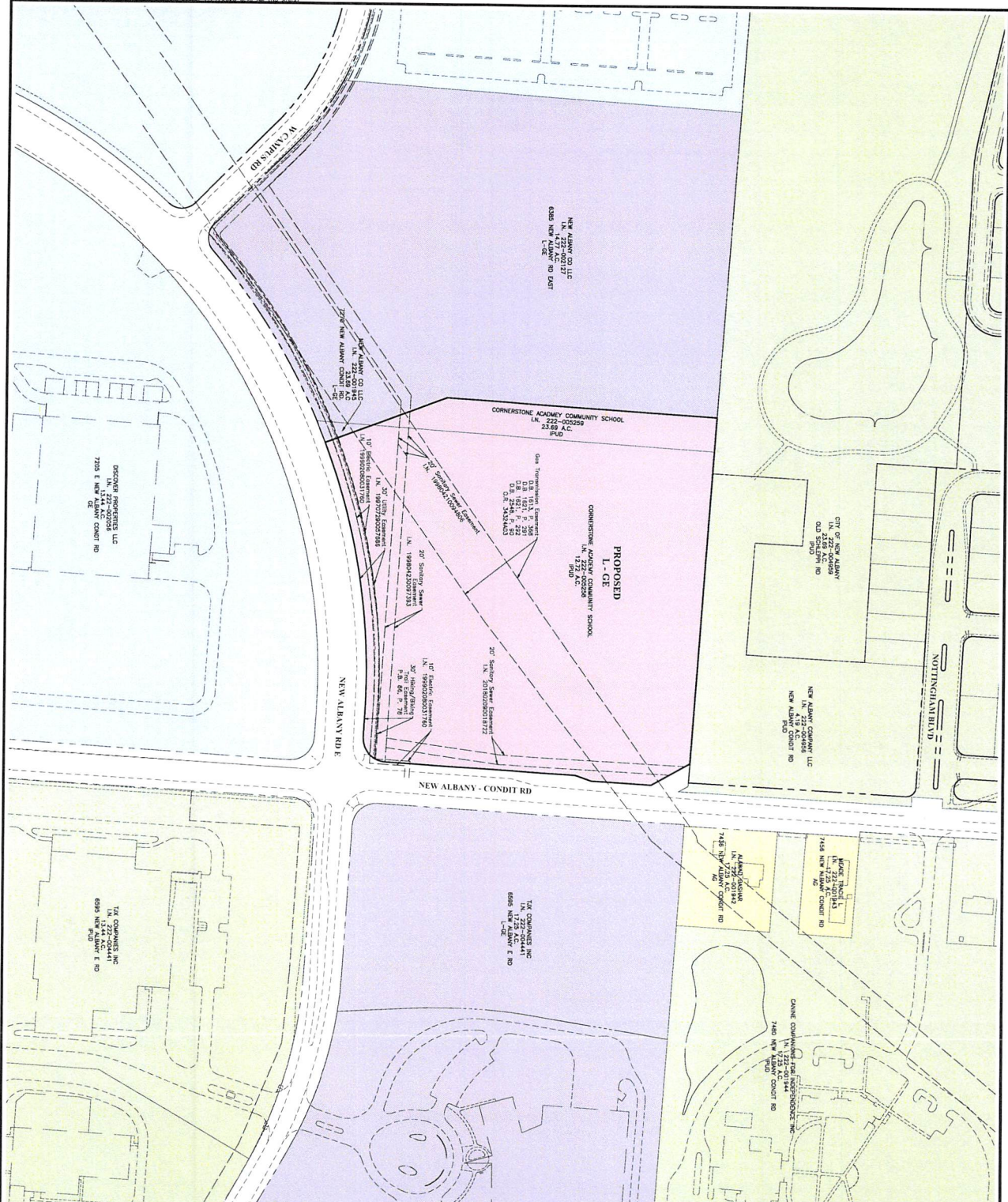
D. Landscape uplighting from a concealed source shall be subject to staff approval. All uplighting fixtures must be screened by landscaping. Lighting details shall be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

E. No permanent colored lights or neon lights shall be used on the exterior of any building.

F. Security lighting shall be of a motion sensor type.

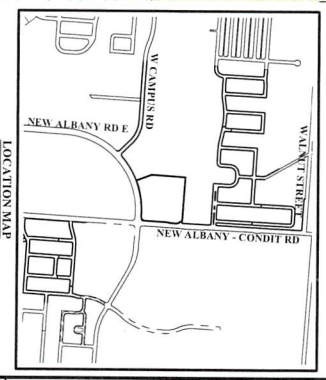
G. All other lighting on the site shall be in accordance with City Code. Street lighting must meet the City standards and specifications.

H. Utilities: All new utilities installed solely to serve this Zoning District shall be installed underground. Solar Panels may be incorporated and installed as appropriate.



**LEGEND**

[Pink Box]	Existing I-GE
[Red Box]	Existing I-GE
[Purple Box]	Existing I-GE
[Green Box]	Existing I-GE
[Blue Box]	Existing I-GE
[Light Blue Box]	Existing I-GE
[White Box]	Existing I-GE



**EMHT**  
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www.emht.com

**SHEET** 1/1  
**DATE** November 1, 2023  
**SCALE** 1" = 50'  
**PROJECT**

**CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO**  
**EXHIBIT**  
**NORTH CITY BUSINESS ZONING DISTRICT**  
**ZONING EXHIBIT**

NACO

REVISIONS			
MARK	DATE	DESCRIPTION	



**ORDINANCE O-01-2024**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 5.23+/- ACRES OF LAND LOCATED ON THE EAST SIDE OF BEVELHYMER ROAD, NORTHEAST OF THE INTERSECTION OF BEVELHYMER ROAD AND WALTON PARKWAY, AND NORTH OF THE INTERSECTION OF WALTON PARKWAY AND US-62, FROM RESIDENTIAL (R-1) TO INFILL PLANNED UNIT DEVELOPMENT (I-PUD) FOR AN AREA TO BE KNOWN AS THE "WALTON FARMS ZONING DISTRICT" AS REQUESTED BY STEPHEN BUTLER**

**WHEREAS**, the council of the city of New Albany has determined that it is necessary to rezone certain property located within the city to promote orderly growth and development of lands; and

**WHEREAS**, the Rocky Fork-Blacklick Accord Panel, New Albany Planning Commission, and New Albany City Council on separate occasions have held public hearings and received public input into the amendment of the zoning ordinance; and

**WHEREAS**, pursuant to the application by Stephen Butler, the Rocky Fork-Blacklick Accord Panel and the New Albany Planning Commission reviewed the proposed ordinance amendment and recommended its approval.

**NOW, THEREFORE, BE IT ORDAINED** by council for the city of New Albany, counties of Franklin and Licking, State of Ohio, that:

**Section 1.** Council hereby amends the zoning ordinance map of the city of New Albany to change the zoning classification of the following described site:

- A. A 5.23+/- acre site within Franklin County, located northeast of the intersection of Bevelhymer Road and Walton Parkway, and north of the intersection of Walton Parkway and US-62, from its current zoning of Residential (R-1) to Infill Planned Unit Development (I-PUD).
- B. The zoning district's limitation text and preliminary development plan are hereby attached and marked Exhibit A.

**Section 2.** It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

**Section 3.** Pursuant to Article 6.07(B) of the New Albany Charter, this ordinance shall become effective thirty (30) days after adoption.

**CERTIFIED AS ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**Attest:**

\_\_\_\_\_  
Sloan T. Spalding  
Mayor

\_\_\_\_\_  
Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

\_\_\_\_\_  
Benjamin S. Albrecht  
Law Director

**Legislation dates:**

Prepared: 12/22/2023

Introduced: 01/02/2024

Revised:

Adopted:

Effective:

**WALTON FARMS ZONING DISTRICT  
I-PUD  
December 19, 2023**

The Walton Farms Zoning District consists of 5.23+/- acres located at 6734 thru 6800 Bevelhymer Road. The development is bounded to the north by Single Family residential, to the East a wooded vacant lot zoned R-1, the south by commercial uses zoned I-PUD and to the West both commercial and residential. The intent of this rezoning is to allow for commercial development on real property which is presently zoned R-1 in accordance with standards which are uniform across the property that is the subject of this text. The intent is also to provide a transition from the residential to the North to the business park to the South and follow the New Albany 2020 Strategic Plan.

Unless otherwise specified in the submitted drawings or in this written text, the development standards of Part Eleven, Title Five of the Codified Ordinances of the City of New Albany shall apply to this Zoning District. In the event of a conflict between the standards contained in this text and those which are contained in the Codified Ordinances, this text shall govern. Where this text is silent on any standard, the standard contained in the Codified Ordinances shall be applied.

**I. Walton Farms Zoning District:**

**A. Summary:** The rezoning is for the entire 5.23+/- acres with frontage on Bevelhymer Road.

**B. Permitted Uses:** The following uses shall be permitted in Walton Farms Zoning District:

Except as expressly prohibited below, the permitted uses contained in the Codified Ordinances of the City of New Albany, C-1 Neighborhood Business District-, Section 1145.02 shall be permitted.

Conditional uses contained in Section 1145.03 of the Codified Ordinances shall be allowed in this subarea, provided that the conditional uses comply with and are reviewed in accordance with Chapter 1115 of the Codified Ordinances. The following uses shall be prohibited in the development:

1. Billboards and other off-premises signs, subject to the regulations of Section 1169.08(e).
2. Armory.
3. Sexually Oriented Businesses.
4. Self-service laundries.
5. Commercial radio transmitting or television station and appurtenances.
6. Funeral Parlor.
7. Gasoline service stations, or retail convenience stores selling gasoline as an ancillary activity.
8. Kennels.
9. Residential uses.
10. Swim schools.

## II. DEVELOPMENT STANDARDS:

### **A. Lot and Setback Commitments**

1. **Minimum Parcel Size and Frontage:** Each parcel within this Zoning District shall be a minimum of 0.75 acres in size and shall have a minimum of 95 feet of frontage on a public street.
2. **Limitation on Single Retail Users:** No single retail user in this Zoning District shall occupy more than 14,100 square feet of gross floor area of a building.
3. **Bevelhymer Road:** There shall be a minimum pavement setback of 45 feet and a minimum building setback of 50 feet from Bevelhymer Road right-of-way. Patios, porches, awnings, and similar architectural elements can encroach up to 5 feet into the building setbacks.
4. **Perimeters:** Except as provided in the immediately preceding Section II.A.5 below, there shall be a minimum pavement setback of 10 feet and a minimum building setback of 25 feet from all perimeter boundary lines of this Zoning District.
5. **Interior Boundaries:** Setbacks along all internal property boundaries between adjoining parcels within this Zoning District shall be zero for all buildings and pavement unless otherwise specified in this text.
6. **Lot Coverage:** There shall be a maximum impervious lot coverage of 80% in this Zoning District. Individual parcels may exceed this limitation provided that the overall lot coverage in the development does not exceed this percentage.

### **B. Access, Loading, Parking and Other Traffic Commitments**

1. **Vehicular Parking:** Vehicular parking for each use shall be provided per Section 1167 of the Codified Ordinances unless otherwise approved with a shared parking plan as part of a final development plan. In the event that a particular use does not have a parking requirement defined by such section of the Codified Ordinances, the Planning Commission shall review and approve the amount of parking required for that use as part of a final development plan considering customary parking ratios for similar uses and/or data from the proposed user in support of the number of spaces being provided. The development has shared parking agreements and may utilize parking of the entire development spaces throughout the entire development. Cross access easements between sites shall be provided.

Additional information shall be required at the time of the final development plan pertaining to parking and the timing of parking lot usage with an eye towards compatible uses.

2. **Bicycle Parking:** Bicycle parking shall be provided on each parcel for each building at the rate of one space per 2,500 square feet of gross building floor area located

on that parcel, provided that in no circumstance shall any parcel be required to provide more than 10 bicycle parking spaces.

3. Vehicular Access: Vehicular access to the Zoning District shall be provided from (a) two full movement access points on Bevelhymer Road, whereas the most northern access point shall be removed, once the future public road, North and adjacent to the development and connecting to Bevelhymer is constructed;(b) two full access curb cuts from a public road connecting the commercial development to the South, and the future public road to the North and adjacent to the development, once the public road is constructed.

Vehicular circulation within the development generally shall be provided in accordance with the circulation plan that accompanies this text, with locations to be finalized at the time of final development plan approval. Internal drives which are in addition to those which are shown on the circulation plan may be provided as approved as part of a final development plan to provide efficiency of traffic movement within individual parcels.

A declaration of reciprocal easements or a reciprocal easement agreement shall be recorded against the real property within this Development prior to the issuance of the first building permit in the Zoning District in order to provide for perpetual vehicular and pedestrian cross access easements, cross utility easements, and other easements which are necessary or desirable for the efficient development of Walton Farms. Maintenance of private drives and sidewalks internal to this Zoning District shall be the responsibility of the owners of property within this Zoning District. A copy of the relevant recorded instrument as contemplated by this paragraph shall be submitted to the City along with the first application for a building permit in this Zoning District.

4. Pedestrian Access: An 8-foot-wide asphalt leisure trail is required to be installed along the Bevelhymer Road frontage of the site. A 5-foot wide concrete sidewalk shall be installed on the west side of the public drive to be constructed generally along or parallel to the private drive that runs along the rear boundary. Sidewalks shall be installed at such time as private site development occurs. Individual parcels within the development shall establish at least one pedestrian connection to the sidewalk in some form, to be reviewed at the time of final development plan. If such connection crosses a parking area it shall be striped. Each building shall have a concrete sidewalk between its front façade and adjacent parking areas.

5. Rights-of-Way: The developer shall dedicate right-of-way along Bevelhymer Road to the city of New Albany for a distance of 40 feet as measured from the centerline of Bevelhymer Road. The developer shall grant easements to the city of New Albany adjacent to the rights of way in order to install and maintain street scape improvements and/or utilities. The proposed right-of-way width and easements are to be sufficient enough to accommodate the City street capital improvement projects.

Additionally, the developer shall dedicate right-of-way to the city of New Albany for a distance of 50 feet for a public street to be constructed as part of this development measured from the existing rear boundary line. This public street shall be constructed as part of phase 1 of the development. Within the right-of-way, a 6' tree lawn and 5' wide sidewalk shall



be provided on the west side of the public drive and is to be constructed generally along or parallel to the drive as it runs along the rear boundary. The developer shall grant easements to the city of New Albany adjacent to the rights of way in order to install and maintain street scape improvements and/or utilities. The proposed right-of-way width and easements are to be sufficient enough to accommodate the City street capital improvement projects.

6. Loading and Service Areas: Loading and service areas shall be fully screened from off-site view by the use of walls, fences, and/or landscaping.

**C. Architectural Standards:**

1. Application of DGRs: Except as otherwise set forth in this text, the City's Design Guidelines and Requirements shall apply to this Zoning District, provided, however, that deviations from them shall be permitted if approved as part of a separate variance application reviewed by Planning Commission in conjunction with a final development plan application.

2. Style: Buildings shall be designed to be seen from 360 degrees with the same caliber of finish on all facades/elevations. Building additions, whether attached or detached, shall be of similar design, materials, and construction.

3. Height: The maximum building height (as measured per the Codified Ordinances) shall not exceed 35 feet. The maximum number of stories shall not exceed one and a half stories. Otherwise, architectural elements such as monitors, chimneys, and cupolas may exceed the height limitations of this text as permitted by the Codified Ordinances.

4. Features: The following architectural features shall be required and shall be scaled according to the size of the individual tenant. These features may be scaled to a group of smaller side-by-side tenants when architecturally appropriate:

a. Roofs may be sloped or flat, provided that flat roofs utilize a heavy cornice;

b. Roof elements that emphasize and reduce the building scale at the building storefront such as, but not limited to, dormers, cupolas, roof spires, and hip and gable roofs;

c. Complete screening of all roof-mounted equipment shall be required on all sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from grade level off-site view and to buffer sound generated by such equipment; and

d. Complete screening of all ground-mounted mechanical and other equipment at ground level by walls, fencing, or landscaping that is consistent and harmonious with the materials and character of the nearest primary building shall be required.

5. Exterior Elevations: All exterior elevations of each building shall be required to have the following characteristics:

a. Consistency of Finish: The same palette of exterior finishes and color shall be used on all sides of a building. Unfinished rear facades of buildings shall be prohibited.

b. Exterior Wall Finish: Brick, brick veneer, metal, cementitious products such as Hardiplank or its equivalent, wood, EIFS and composite material may be used as exterior wall finish materials where approved. Vinyl as an exterior material is prohibited. Exterior wall finish materials must be used to complete massing elements. The application of brick or brick veneer to a single building façade is prohibited. Tinted glass shall be permitted, reflective or mirrored glass shall be prohibited as approved.

c. Roofs: General roof massing shall incorporate pitched or flat roofs. If a flat roof is used, strong cornice lines must be integrated. Acceptable roof materials include dimensional asphalt shingles, natural and synthetic slate, cedar shake, and standing seam metal.

d. Parapets: Parapets shall use a classical cornice with molded shapes made of any of the following durable materials: stone, cast stone, architectural pre-cast concrete, gypsum fiber reinforced concrete, expanded insulation finish system (EIFS), or similar materials.

e. Fascias: Roof fascias shall be proportioned to the scale of the roof element and shall employ classical molding details such as crown molding. The same material shall be used for fascias and cornices.

f. Gutters and Downspouts: Sloped roofs shall be required to employ gutters and downspouts for drainage. All gutters shall be of a metal type and shall be painted to match fascias.

g. Exterior Doors: All exterior doors other than doors whose primary purpose is for the entry or exit of customers shall be made of a heavy gauge metal.

h. Prefabricated Buildings: Prefabricated metal buildings, untreated masonry block structures, and buildings featuring an exterior finish entirely of glass are prohibited.

6. Operable Doors: The City's Design Guidelines and Requirements require an operable and active front door to be provided along all public roads.

**D. Buffering, Landscaping, Open Space and Screening Commitments**

1. Landscape Standards Along Public Rights-of-Way:

a. Street Trees: Deciduous street trees are required within the rights-of-way along Bevelhymer Road. Trees are to be a minimum of two-inch caliper and shall be provided at an average of 1 tree for every 30 linear feet of frontage on center. Along the unnamed public road connection on the East side of the development, a double row of street trees shall be provided on the West side of the public road. Final street design and quantity shall be reviewed at the time of the final development plan. Any trees requiring removal or which are damaged or destroyed during construction of this development shall be replaced in the same locations. Street trees shall not obstruct site distance or signage, subject to staff approval.

b. Fencing: A four-board white horse fence shall be installed along Bevelhymer Road, except where vehicular or pedestrian access points for the development are provided. The white horse fence shall be extended along the entire frontage of Bevelhymer Road.

c. Screening of Parking: Any surface parking areas adjacent to Bevelhymer Road and the new public drive shall be screened from the respective rights-of-way with a minimum of a 30-inch tall continuous planting hedge. The 30-inch height shall be measured from the adjacent parking area. Within the required minimum pavement setback area there shall be a minimum of 6 trees per 100 lineal feet. Trees may be deciduous, ornamental, evergreens, or any combination thereof as approved. This planting requirement shall not apply in areas where pedestrian or vehicular ingress and/or egress are provided, or where existing trees are found.

3. General.

a. Minimum Tree Size.

<u>Tree</u>	<u>Perimeter Minimum Tree Size</u>	<u>Parking Lot Minimum Tree Size</u>
Ornamental Tree	2" Caliper	2" Caliper
Deciduous Shade Trees	2" Caliper	2" Caliper
Evergreen Trees	6' – 8' tall	4' tall

b. Perimeter Shrubbery. Deciduous and evergreen shrubs are permitted and shall be a minimum size of 24 inches in height at installation.

c. Interior Landscaping. The required amount of interior landscaping shall be a minimum of eight percent (8%) of the total area of parking lot pavement. The landscaping areas shall include both shrubs and parking lot trees as required by Codified Ordinance 1171.06(a)(3) and be arranged in such a manner so as to visually break up large expanses of pavement.

**E. Dumpsters, Lighting, Outdoor Display Areas and other Environmental Commitments**

1. **Mechanical Equipment:** Any external mechanical equipment shall be screened at ground level from all adjacent public streets and from properties which are outside of but adjacent to this development with materials that are similar to or the same as used on the majority of the building, or with fencing or landscaping. Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and to buffer sound generated by such equipment. The screening of the mechanical equipment should be coordinated with the rest of the architecture so as to avoid being seen as an "add-on".

2. **Service Areas and Dumpsters:** All service areas (including, without limitation, loading docks) and dumpsters shall be fully screened from all public roads and from adjacent properties located outside of this Zoning District at ground level with walls, fencing, or landscaping. Walls shall be of the same materials and design used on the building walls and shall be complemented with landscaping. Exterior storage of materials, supplies, equipment, or products is prohibited.

3. **Lighting:**

a. **Street Lighting:** Public street lights may be removed, relocated, replaced, and/or supplemented if necessary to accommodate the installation and operation of access points onto public streets and to adequately light these areas, as approved as part of a final development plan. New street lights shall be the same or substantially similar style, color, and specifications as existing street lights.

b. **Parking Lots and Driveways:** All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Lighting along private drives internal to this subarea (if any) shall be presented for review and approval as part of a final development plan. Light poles within this subarea shall be black or New Albany green and constructed of metal. Parking lot lighting shall not exceed 18 feet in height. Parking lot lighting shall be from a controlled source in order to eliminate light spillage beyond the boundaries of the development. For any proposed development that is adjacent to property located outside of this Zoning District where residential uses exist or are permitted, a photometric plan demonstrating zero light spillage onto such properties shall be submitted for review and approval by the Planning Commission as part of a final development plan.

c. **Ground-Mounted Lighting:** Landscape uplighting from a concealed source shall be permitted, subject to staff approval. Any ground lighting that is permitted shall be shielded and landscaped, subject to staff approval.

d. Prohibited Lighting: No permanent colored lights or neon lights shall be used on the exterior of any building.

e. Security Lighting: Security lighting, when used, shall be of a motion-sensor type.

f. Consistent Appearance: Exterior lighting fixtures shall be similar in appearance throughout this subarea. All exterior lighting mounted to a building shall be located on the first floor only. Uplighting of a building is prohibited.

g. Other Requirements: All other lighting on the site shall be in accordance with the City's Codified Ordinances.

**F. Graphics and Signage Commitment**

1. Locations; Master Sign Plan: Locations for ground signs and building signs will be unique to specific user and therefore shall be presented for review and approval by the Planning Commission as part of a final development plan.

2. Specifications: Permitted sizes, designs, colors, shapes, and other specifications for ground and building signs shall be consistent with the 2013 Trust Corp Signage Recommendations Plan which was approved by the City in 2013 for the real property located on the south side of U.S. Route 62/Johnstown Road. Any changes or deviations from that plan shall require the review and approval of the Planning Commission.

3. Entry Signs: Two ground identification signs shall be permitted along each public street within this zoning district. One ground sign shall be permitted at each vehicular access point into this zoning district from a public street in order to identify users within this Zoning District. The ground signs shall be dual identification.

4. Illumination: Backlighting of individual letters on wall-mounted signage shall be permitted. Internally illuminated wall-mounted and ground-mounted signage shall be prohibited.

5. Prohibited Signs: No signs shall be painted directly on the surface of the building, wall or fence. No wall murals shall be allowed. No roof signs or parapet signs shall be permitted nor shall a sign extend higher than the roof of a building. No flashing, traveling animated or intermittently illuminated signs or banners, tethered balloons or pennants shall be used. Temporary interior window advertisements are prohibited. Gas station pricing signs shall not be permitted to be digital.

The following signs are not permitted as permanent signs: Banner or streamers, sidewalk or curb signs (sandwich type), portable displays or mobile signs, gas filled devices, roof-mounted signs, revolving or rotating signs, neon signs, and signs installed on gas station fueling area canopies.

6. Other Requirements: All signage shall conform to the standards set forth in Section 1169 of the Codified Ordinances, unless otherwise stated above.

G. Utilities. All new utilities in this subarea shall be installed underground.

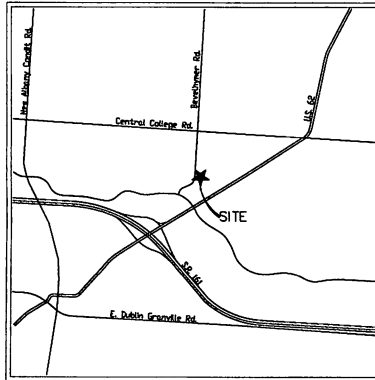
H. Appeals and Variances:

1. Appeals:

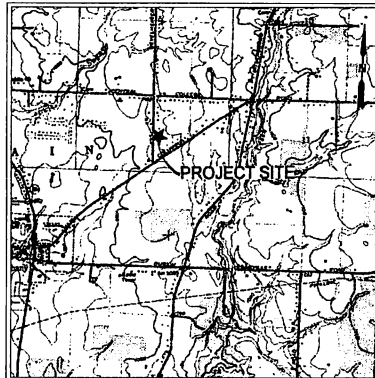
- (a) Taking of Appeals: Appeals to the Board of Zoning Appeals concerning interpretation or administration of the text or the underlying zoning ordinance by the Zoning Officer or any other administrative official may be taken by any person aggrieved, including a tenant, or by a governmental officer, department, board, or bureau. Such appeal shall be taken within twenty days after the date of the decision by filing a notice of appeal specifying the grounds thereof with the officer from whom the appeal is taken and the Board of Zoning Appeals.
  - (b) Imminent Peril: An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Officer certifies to the Board of Zoning Appeals, after notice of appeal shall have been filed with them, that by reason of facts stated in the application a stay would, in their opinion, cause imminent peril to life or property. In such case, the proceeding shall not be stayed other than by a restraining order which may, on due cause shown, be granted by the Board of Zoning Appeals, after notice to the Zoning Officer or by judicial proceedings.
2. Nature of Variance: On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable development standards of the PUD portion of this text or the Zoning Ordinance unreasonable and, therefore, the procedure for variance from development standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change of the primary use of the land or structure permitted.
  3. Variance Process: The procedures and requirements of Chapter 1113, Variances of the Codified Ordinances of the City of New Albany shall be followed in cases of variances. The Planning Commission shall hear requests for variances in this zoning district.

# WALTON FARMS OF NEW ALBANY

INFILL PLANNED UNIT DEVELOPMENT (IPUD)  
6734 BEVELHYMER ROAD  
NEW ALBANY  
FRANKLIN COUNTY OHIO



VICINITY MAP  
NO SCALE



USGS MAP  
SCALE: 1" = 2,000'

INDEX OF SHEETS

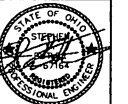
TITLE SHEET	C1.0
ALTA SURVEY	C2.0
SITE & UTILITY PLAN	C3.0
DEVELOPMENT MASS GRADING	C4.0
DRAINAGE PLAN	C5.0
LANDSCAPE PLAN	L1.0

REVISIONS

PREPARED FOR:

**COE**  
Community Civil Engineering, LLC  
2440 BATTMAN ROAD, SUITE 100  
BEAVERCREEK, OHIO 43084  
TEL: 627.600.3400 FAX: 627.628.9799

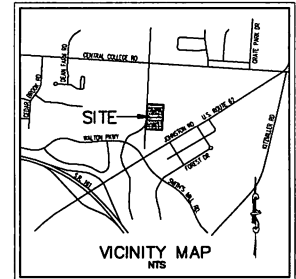
**TITLE SHEET**  
**WALTON FARMS**  
**NEW ALBANY**  
6734 BEVELHYMER ROAD  
FRANKLIN COUNTY, OHIO 43054



DESIGN DATE: 10/31/2023  
SHEET NO. 1  
OF 5  
**C1**

\*\*\*  
ENCROACHMENT NOTES:  
POSSIBLE ENCROACHMENT #1 - GAS LINE AND WATER LINE LEASE EASEMENT

**SCHEDULE B1 EXCEPTIONS:**  
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 210200002  
AND NO. 210200003, BOTH WITH AN EFFECTIVE DATE OF JANUARY 25, 2021 TO  
BE CONSIDERED A PART OF THIS SURVEY.



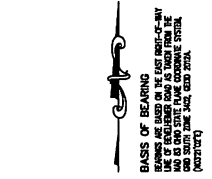
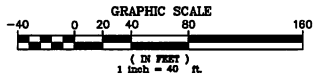
**LOT 31 PLAIN VIEW FARMS ADDITION NO. 2**  
EASEMENT GRANTED TO COLUMBIAS AND SOUTHERN OHIO ELECTRIC OF RECORD  
IN VOLUME 2365, PAGE 294 AND VOLUME 2548, PAGE 548, RECORDOR'S  
OFFICE, FRANKLIN COUNTY, OHIO. (VOL. 2365, PG. 294 APPEARS TO AFFECT,  
CAN NOT BE DETERMINED, EASEMENT IS UNREADABLE, VOL. 2548, PG. 548,  
AFFECTS, PLOTTED)  
**BUILDING SETBACK LINES AND UTILITY EASEMENTS, AS SHOWN ON THE  
RECORDED SUBDIVISION PLAT. (P.B. 34, PG. 22 AFFECTS, PLOTTED)**  
**BUT, HOWEVER, DELETING ANY COVENANT, CONDITION OR RESTRICTIONS  
INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED UPON RACE,  
COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE  
EXTENT SUCH MATTERS VIOLATE 42 USC 3604(c).**

**LOT 32 AND 33 PLAIN VIEW FARMS ADDITION NO. 2**  
EASEMENT GRANTED TO COLUMBIAS AND SOUTHERN OHIO ELECTRIC OF RECORD  
IN VOLUME 2365, PAGE 294 AND VOLUME 2548, PAGE 548, RECORDOR'S  
OFFICE, FRANKLIN COUNTY, OHIO. (APPEARS TO AFFECT, CAN NOT BE DETERMINED, EASEMENT IS UNREADABLE)  
EASEMENT GRANTED TO COLUMBIAS GAS OF OHIO, INC. OF RECORD IN VOLUME  
2920, PAGE 338, RECORDOR'S OFFICE, FRANKLIN COUNTY, OHIO.  
(CAN NOT BE DETERMINED, EASEMENT IS UNREADABLE)  
**BUILDING SETBACK LINES AND UTILITY EASEMENTS, AS SHOWN ON THE  
RECORDED SUBDIVISION PLAT. (P.B. 34, PG. 22 AFFECTS, PLOTTED)**  
**BUT, HOWEVER, DELETING ANY COVENANT, CONDITION OR RESTRICTIONS  
INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED UPON RACE,  
COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE  
EXTENT SUCH MATTERS VIOLATE 42 USC 3604(c).**

- NOTES:**
- THE ADDRESS OF THE SUBJECT TRACT IS:  
6734 AND 6800 BEVELHEIMER ROAD, NEW ALBANY, OHIO 43054
  - SITE APPEARS ON FEMA MAP NO. 3904020206K WITH AN EFFECTIVE DATE OF  
JUNE 17, 2006 AND 3904020206K WITH AN EFFECTIVE DATE OF JUNE 17, 2008  
AND ARE LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2%  
ANNUAL CHANCE FLOODPLAIN).
  - SITE IS ZONED: R-1 (RESIDENTIAL ESTATE DISTRICT)  
NO ZONING REPORT PROVIDED.
  - THERE WERE NO PUBLIC PARKING SPACES ON THE SUBJECT TRACT AT THE TIME OF  
THIS SURVEY.
  - THERE WAS NO OBSERVED EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING  
CONSTRUCTION OR BUILDING ADDITIONS ON THE SUBJECT TRACT AT THE TIME OF THIS  
SURVEY.
  - THERE WAS NO OBSERVED EVIDENCE OF RECENT STREET WORK OR SIDEWALK  
CONSTRUCTION ON THE SUBJECT TRACT AT THE TIME OF THIS SURVEY.
  - THERE WAS NO OBSERVED EVIDENCE OF RECENT FIELD WETLAND DELINEATION ON  
THE SUBJECT TRACT AT THE TIME OF THIS SURVEY.
  - THE SUBJECT PROPERTIES HAVE DIRECT ACCESS TO BEVELHEIMER ROAD BY  
PRIVATE DRIVES.
  - THE LOCATIONS OF THE UNDERGROUND UTILITIES SHOWN ON THE PLAN HAVE  
BEEN OBTAINED BY FIELD CHECKS AND SEARCHES OF AVAILABLE RECORDS. IT IS  
BELIEVED THAT THEY ARE ESSENTIALLY CORRECT, BUT THE SURVEYOR DOES NOT  
GUARANTEE THEIR ACCURACY OR COMPLETENESS. THE CONTRACTOR SHOULD  
VERIFY LOCATIONS WITH THE UTILITY COMPANIES AND/OR THE OHIO UTILITIES  
PROTECTION SERVICE AT 1-800-362-2764 NOT LESS THAN 48 HOURS BEFORE  
STARTING ANY DEMOLITION OR EXCAVATION ACTIVITIES.

**SURVEY LEGEND:**

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**DESCRIPTIONS:**

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY  
COMMITMENT NO. 210200002  
THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS  
FOLLOWS:  
SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, AND  
TOWNSHIP OF PLAIN:  
BEING LOT NUMBER THIRTY TWO (31) OF PLAIN VIEW FARMS  
ADDITION NO. 2, AS THE SAME IS NUMBERED AND DELINEATED  
UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK  
34, PAGE 22, RECORDOR'S OFFICE, FRANKLIN COUNTY, OHIO.  
PARCEL NUMBERS: 222-000818-00  
PROPERTY ADDRESS: 6734 BEVELHEIMER ROAD  
NEW ALBANY, OHIO 43054  
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY  
COMMITMENT NO. 210200003  
THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS  
FOLLOWS:  
SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, AND  
TOWNSHIP OF PLAIN:  
BEING LOT NUMBER THIRTY TWO (32) AND THIRTY THREE (33) OF  
PLAIN VIEW FARMS ADDITION NO. 2, AS THE SAME IS NUMBERED AND  
DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN  
PLAT BOOK 34, PAGE 22, RECORDOR'S OFFICE, FRANKLIN COUNTY,  
OHIO.  
PARCEL NUMBER: 222-000821-00 AND 222-000820-00  
PROPERTY ADDRESS: 6800 BEVELHEIMER ROAD  
NEW ALBANY, OHIO 43054

**CERTIFICATION:**

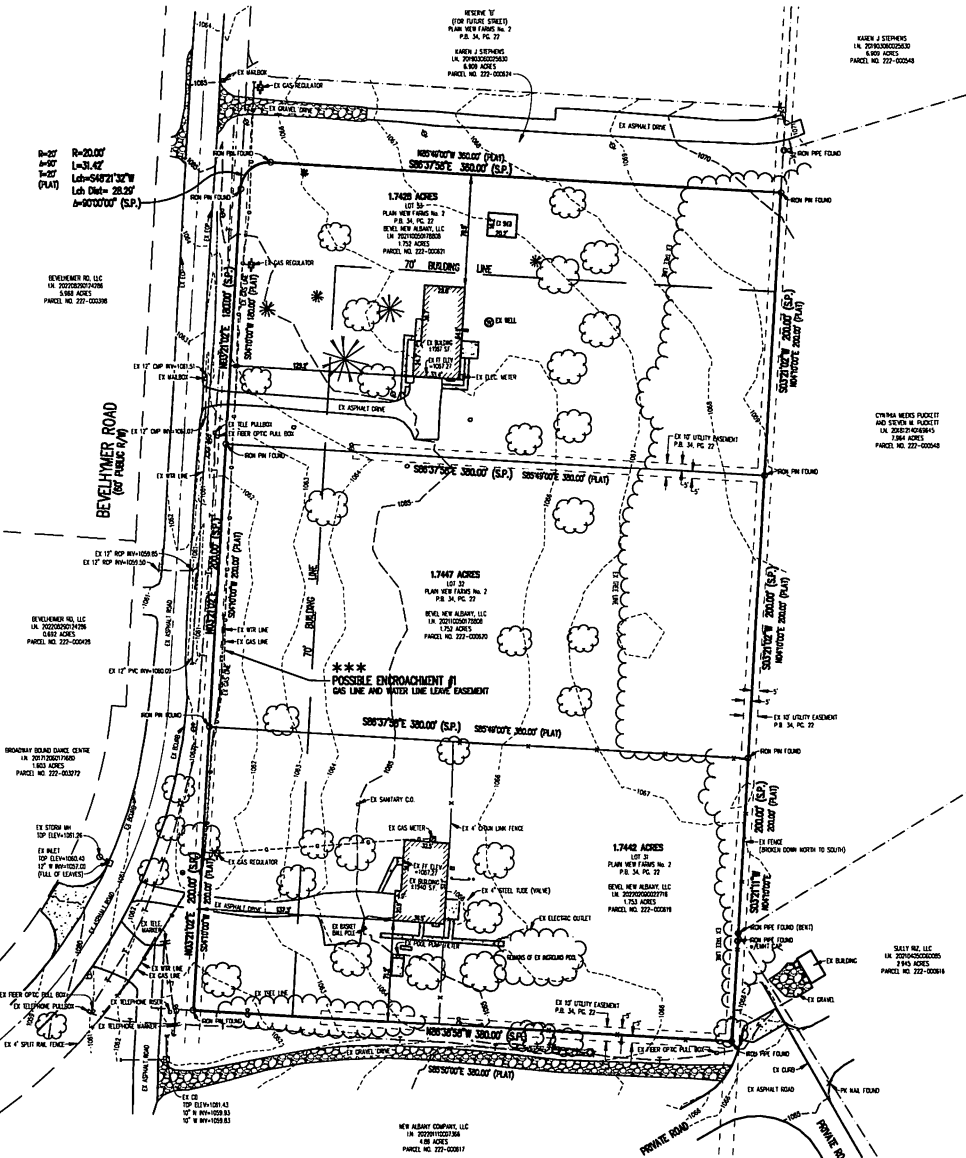
TO: BEVEL NEW ALBANY, LLC AND OLD REPUBLIC NATIONAL TITLE  
INSURANCE COMPANY:  
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON  
WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021  
MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND  
TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND  
NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(a), 7(a)(1), 8, 9,  
11(a), 13, 18 AND 17 OF TABLE A THEREOF. THE FIELD WORK WAS  
COMPLETED ON NOVEMBER 23, 2022.

**VANATTA ENGINEERING PRELIMINARY**  
JEFFREY A. VAN ATTA  
PROFESSIONAL OHO REGISTERED  
SURVEYOR #7354

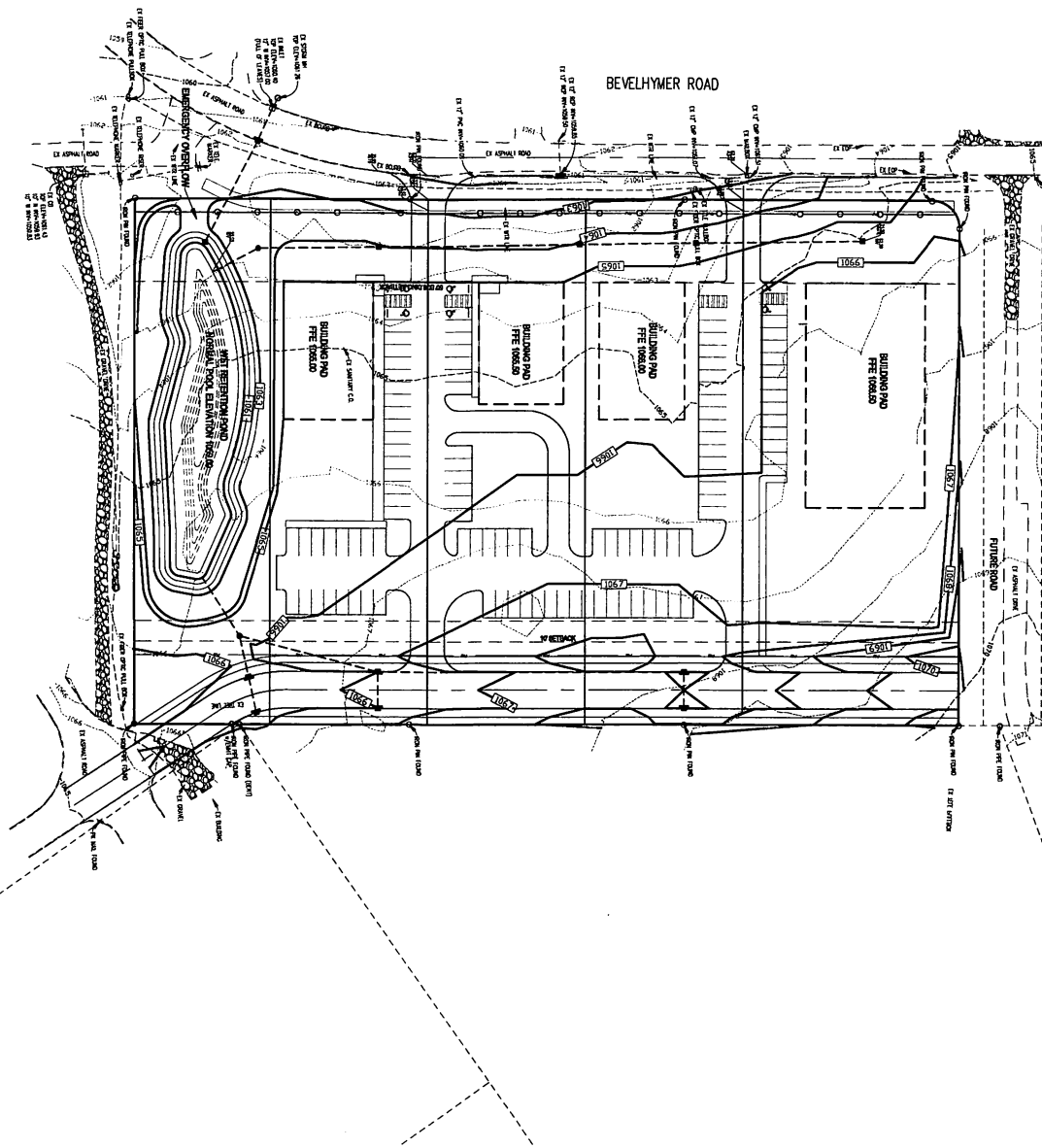


ALTA/NSPS LAND TITLE SURVEY  
LOTS 31, 32 AND 33  
PLAIN VIEW FARMS NO. 2  
5.2317 ACRES  
LOCATED IN  
CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO

DATE: DEC. 14, 2022  
SCALE: 1"=40'  
PROJECT No.: 7830  
FILE No.:  
SHEET No.:  
1 of 1







DATE: 10/17/2013  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT NO: [Number]  
 SHEET NO: **C4**  
 OF: [Total]

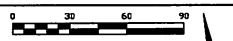
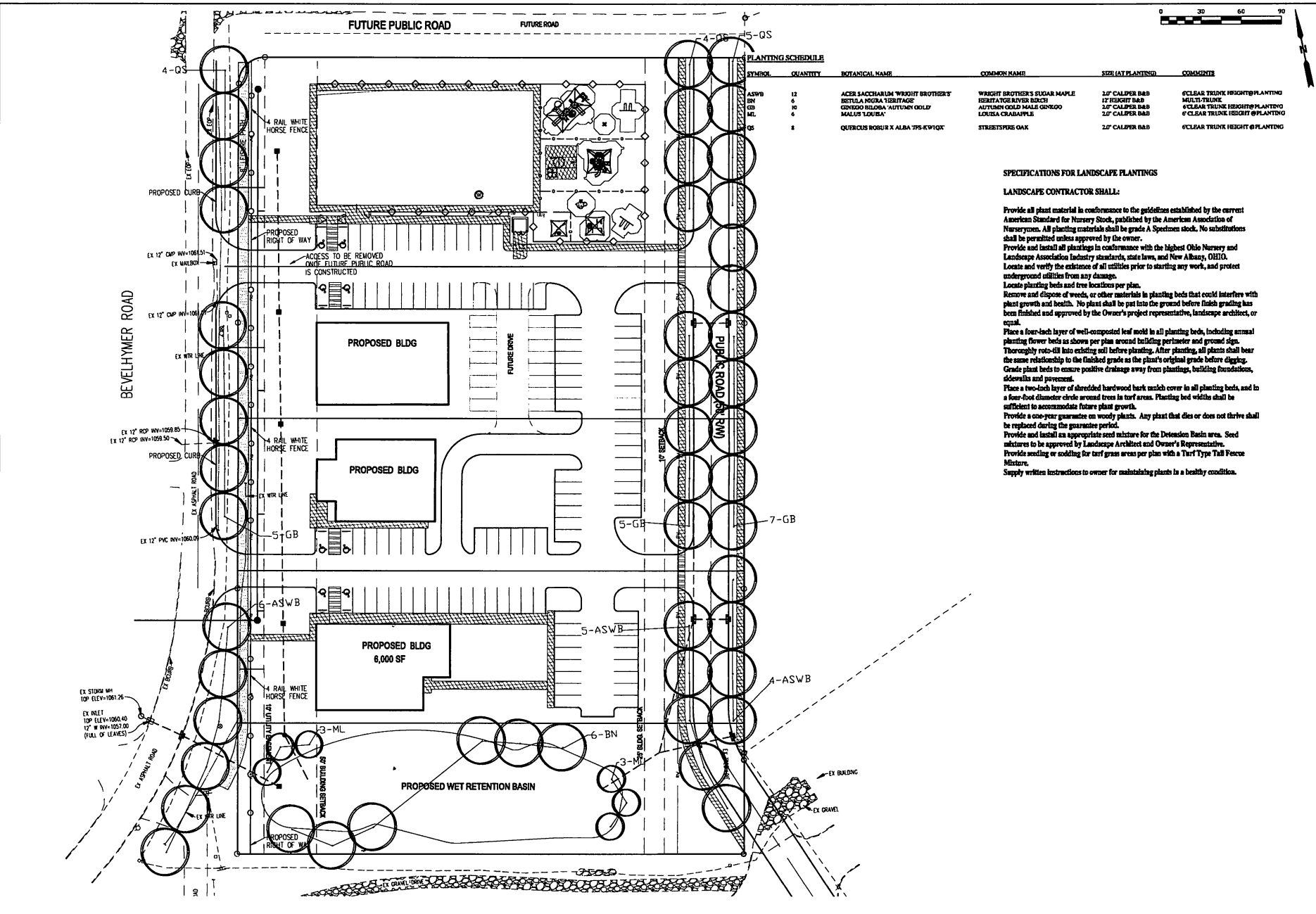
**PRELIMINARY MASS GRADING**  
**WALTON FARMS**  
**NEW ALBANY**  
 6734 BEVELHYMER ROAD  
 NEW ALBANY  
 FRANKLIN COUNTY, OHIO 43054

**CCE**  
 Community Civil Engineers, LLC  
 2440 DAYTON-XENIA ROAD, SUITE B  
 BEAVERCREEK, OHIO 45434  
 TEL. 937.490.9460 FAX 937.426.9795

PREPARED FOR:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

NO.	DATE	REVISIONS





PLANTING SCHEDULE					
SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE (AT PLANTING)	COMMENTS
ASWB	12	ACER SACCHARINUM 'WRIGHT BROTHERS'	WRIGHT BROTHERS'S SUGAR MAPLE	2 1/2" CALIPER B&B	6' CLEAR TRUNK HEIGHT @ PLANTING
BN	6	BETULA NEGUNDA 'HERITAGE'	HERITAGE TORREY BIRCH	1 1/2" HEIGHT B&B	MULTI-TRUNK
GB	10	CORYLUS BILEATA 'AUTUMN GOLD'	AUTUMN GOLD HALE CORNCOB	2 1/2" CALIPER B&B	6' CLEAR TRUNK HEIGHT @ PLANTING
ML	6	MALUS 'LOUBRA'	LOUBRA CRABAPPLE	2 1/2" CALIPER B&B	6' CLEAR TRUNK HEIGHT @ PLANTING
GS	8	QUERCUS ROBUR X ALBA 'PS-KW10X'	STREETSPICE OAK	2 1/2" CALIPER B&B	6' CLEAR TRUNK HEIGHT @ PLANTING

**SPECIFICATIONS FOR LANDSCAPE PLANTINGS**

**LANDSCAPE CONTRACTOR SHALL:**

Provide all plant material in conformance to the guidelines established by the current American Standard for Nursery Stock, published by the American Association of Nurserymen. All planting materials shall be grade A Spetzman stock. No substitutions shall be permitted unless approved by the owner.

Provide and install all plantings in conformance with the highest Ohio Nursery and Landscape Association Industry standards, state laws, and New Albany, OHIO.

Locate and verify the existence of all utilities prior to starting any work, and protect underground utilities from any damage.

Locate planting beds and tree locations per plan.

Remove and dispose of weeds, or other materials in planting beds that could interfere with plant growth and health. No plant shall be put into the ground before finish grading has been finished and approved by the Owner's project representative, landscape architect, or equal.

Place a four-inch layer of well-composted leaf mold in all planting beds, including annual planting flower beds as shown per plan around building perimeter and ground signs. Thoroughly rot-till into existing soil before planting. After planting, all plants shall bear the same relationship to the finished grade as the plant's original grade before digging. Grade plant beds to ensure positive drainage away from plantings, building foundations, sidewalks and pavement.

Place a two-inch layer of shredded hardwood bark mulch cover in all planting beds, and in a four-foot diameter circle around trees in turf areas. Planting bed widths shall be sufficient to accommodate future plant growth.

Provide a one-year guarantee on woody plants. Any plant that dies or does not thrive shall be replaced during the guarantee period.

Provide and install an appropriate seed mixture for the Detention Basin area. Seed mixtures to be approved by Landscape Architect and Owner's Representative. Provide seeding or sodding for turf grass areas per plan with a Turf Type Tall Fescue Mixture.

Supply written instructions to owner for maintaining plants in a healthy condition.

REVISIONS

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PREPARED FOR:

LANDSCAPE PLAN BY  
**PAMELA A. K. WHITE**  
 OHIO PROFESSIONAL LANDSCAPE ARCHITECT #640  
 937-832-7770 pwhite@pka.com

**PRELIMINARY LANDSCAPE PLAN**  
**WALTON FARMS**  
**NEW ALBANY**  
 6754 NEW ALBANY ROAD  
 FRANKLIN COUNTY, OHIO 43104

STATE OF OHIO  
 LANDSCAPE ARCHITECT  
 PAMELA A. K. WHITE  
 #640

DESIGN: PAK DATE: 10/31/2023

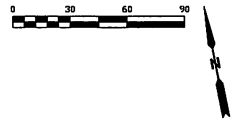
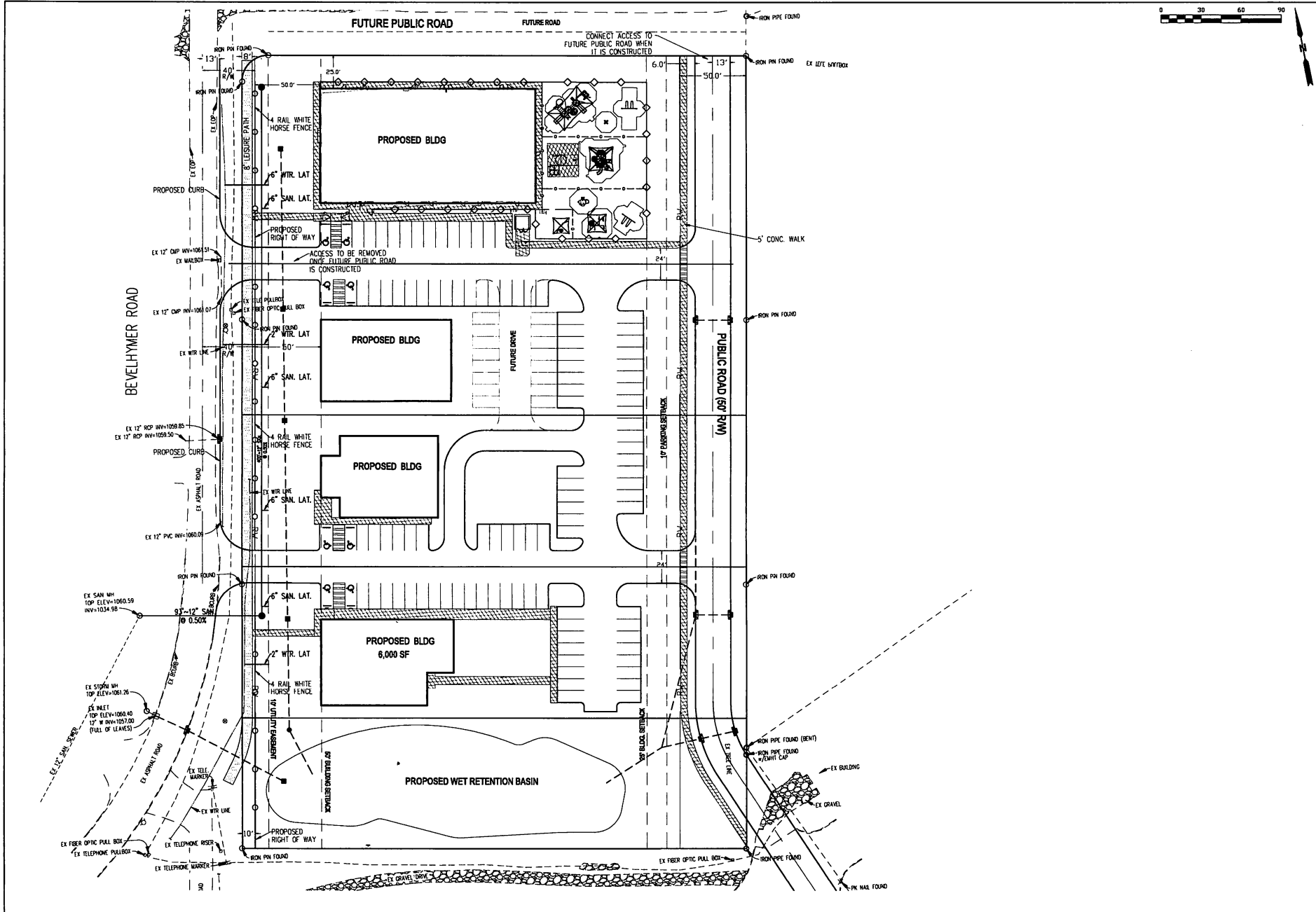
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APP: PAK

DATE: 11-23

**L1**



REVISIONS

PREPARED FOR:

**COE**  
 Community Civil Engineers, LLC  
 2440 DARTON-SENAI ROAD, SUITE B  
 BEAVERCREEK, OHIO 45424  
 TEL: 637-600-2450 FAX: 637-628-0785

**PRELIMINARY DEVELOPMENT PLAN**  
**WALTON FARMS**  
**NEW ALBANY**  
 6751 W. ALBANY ROAD  
 FRANKLIN COUNTY, OHIO 43054

STATE OF OHIO  
 STEPHEN J. COE  
 PROFESSIONAL ENGINEER

DATE: 10/31/2023

9300 SHEET NO. 33



## RESOLUTION R-01-2024

### **A RESOLUTION TO CLARIFY CERTAIN SECTIONS OF THE CITY OF NEW ALBANY'S PERSONNEL POLICIES TO DEFINE EARNABLE AND NON-EARNABLE SALARY AS REQUESTED BY THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM**

**WHEREAS**, the Ohio Public Employees Retirement System (OPERS) has requested annual clarification of the city's Codified Ordinance Sections 155.08, 155.09, 155.10, and 155.11 to determine pensionable earnable salary eligibility; and

**WHEREAS**, the Ohio Public Employees Retirement System (OPERS) has also requested that the city confirm its definition of salary, which is not pensionable.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

**Section 1.** Pursuant to ORC Section 145.01 and the OAC 145.1-26, the City of New Albany has executed a plan for the conversions of sick and vacation leave to cash for leave that is accrued, but not used, during the calendar year, defined as January 1 to December 31, as part of an annual conversion plan. These earnings are earnable salary on which employee and employer contributions shall be remitted to OPERS.

**Section 2.** Sick and vacation leaves shall be converted on a last in, first out (LIFO) basis. The leave to be considered earnable salary is the leave accrued to date in the current calendar year, less any leave used to date in the same calendar year.

**Section 3.** Retiring employees' sick and vacation leave conversion payments must occur according to the plan and either prior to or during the month of their termination date for this earnable salary to be included in the calculation of Final Average Salary.

**Section 4.** The following payments made to employees shall not have retirement contributions withheld as the payments do not meet the definition of earnable salary for OPERS purposes:

- Leave in excess of the annual amount of leave accrued from January 1 to December 31 less leave used January 1 to time of payment
- Leave earned in previous calendar years (other than payments made in January for leave accrued but not used during the previous calendar year)
- Conversion of leave to employees separating employment

- Conversion of leave to retiring employees outside the regular payment schedule

**Section 5.** The city’s accrual policy for Sick, Vacation, and Personal Leave is summarized in the attached Exhibit A.

**Section 6.** It is hereby found and determined that all formal actions of council concerning and relating to the adoption of this legislation were adopted in an open meeting of council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

**Section 7.** Pursuant to the Article VI of the charter of the City of New Albany, this resolution shall take effect upon passage and shall be retroactive to January 1, 2024.

**CERTIFIED AS ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**Attest:**

\_\_\_\_\_  
Sloan T. Spalding  
Mayor

\_\_\_\_\_  
Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

\_\_\_\_\_  
Ben Albrecht  
Law Director

**Legislation dates:**

Prepared: 12/18/2023  
Introduced: 01/02/2024  
Revised:  
Adopted:  
Effective:

155.08 PERSONAL LEAVE.

(a) In addition to the observed holidays set forth in C.O. 155.07(a), all full-time employees shall be authorized to observe sixteen (16) hours designated as "personal leave". Such time shall be scheduled as far in advance as possible and approved by the supervisor, except that no reasonable request shall be denied. Wages shall be computed on the basis of the employee's existing rate of compensation at the time the leave is taken. Any unused personal leave remaining after the last pay period of the same year or when an employee terminates his/her employment shall be forfeited.

(b) New employees hired before June 30 will be authorized to observe sixteen (16) hours of personal leave. New employees hired between July 1 and November 30 will be authorized to observe eight (8) hours of personal leave. New employees hired December 1 or after will not be eligible for any personal leave that year.

155.09 VACATION.

(a) Full-time, non-exempt employees shall accrue vacation on the following schedule:

(1) At employment up to the completion of the 4<sup>th</sup> year of employment - 3.077 hours per pay period

(2) Upon completion of the 4<sup>th</sup> year of employment up to the completion of the 9<sup>th</sup> year of employment - 4.615 hours per pay period

(3) Upon completion of the 9<sup>th</sup> year of employment up to the completion of the 14<sup>th</sup> year of employment - 6.154 hours per pay period

(4) Upon completion of the 14<sup>th</sup> year of employment and beyond - 7.70 hours per pay period

(b) The annual vacation schedule for full-time, exempt employees shall be as follows:

(1) At appointment - three weeks. Employees who move from a non-exempt position to an exempt position will be provided three weeks upon appointment to the exempt position and continue to accrue at the rate otherwise qualified for based on length of continuous service with the City.

(2) Upon completion of the 1<sup>st</sup> year of employment up to the completion of the 4<sup>th</sup> year of employment – 4.615 hours per pay period

(3) Upon completion of the 4<sup>th</sup> year of employment up to the completion of the 7<sup>th</sup> year of employment – 6.154 hours per pay period

(4) Upon completion of the 7<sup>th</sup> year of employment and beyond - 7.70 hours per pay period.

(c) Vacations shall be at full pay at the current salary rate.

(d) Each full-time employee and official shall be permitted an annual standard maximum carryover of three (3) times the annual vacation accrual rate. Any accrued vacation leave in excess of the maximum carryover limits standing to the credit of the employee on December 1 shall become void on December 31. Employees with leave in excess of 480 hours as of December 1 may have up to 80 hours paid out upon request. Such payout shall occur in January.

(e) No advance of vacation is permitted. Only requests for vacation less than or equal to the accrued balance will be approved.

(f) Leave is accrued on the basis of an 80 hour pay period such that any time not in a paid status, i.e. unpaid time off, during a pay period will result in a reduced, pro-rated accrual for that pay period.

(g) In order to recruit and retain qualified persons, employees shall accrue vacation leave as provided in (a) or (b), above, except that accrual rates above the minimum may be authorized if the Department Head and the Human Resources Officer submit adequate reasons in writing and the action is approved by the City Manager. Approval will be based upon the exceptional qualification of the applicant or the inability to employ adequately qualified personnel. In awarding a higher accrual rate, consideration shall be given to the applicant's qualifications, work experience, the level of responsibility required in the position and the availability of qualified applicants or other relevant market factors. Employees granted higher accrual rates shall move to the next accrual rate upon completion of four (4) years of employment with the City.

(h) Compensation for vacation leave in lieu of time off shall not be granted except as provided in (d), above.

(i) Vacation leave shall be scheduled as far in advance as possible and at the discretion of the supervisor. In the event of conflicting requests, the Department Head shall resolve the conflict based on the operating needs of the department/division.

(j) Where an employee becomes deceased while in paid status in municipal employment, any accrued vacation leave to his/her credit shall be paid in a lump sum first to the surviving spouse, then to the deceased's estate.

(k) Upon retirement or termination, unused accrued vacation leave will be cashed out in the form of a lump sum monetary payment.

#### 155.10 SICK LEAVE.

(a) All full-time employees and officials shall be credited sick leave at the rate of 4.615 hours for each pay period. Leave is accrued on the basis of an 80 hour pay period such that any hours not in a paid status, i.e. unpaid time off, during a pay period will result in a reduced pro-rated accrual for that pay period.

(b) Sick leave may be accumulated without limit.

(c) When used, sick leave shall be deducted from the cumulative total on a quarter-hour basis.

(d) Employees may use leave for absence due to illness, pregnancy, non-work related injury, exposure of contagious disease which could be communicated to other employees, quarantine of the employee, and for illness or injury of the employee's spouse, child, mother, father, or other relative residing in the employee's household. Sick leave may also be used for medical, vision or dental related examination and care.

(e) Employees may be required to furnish proof of illness by furnishing a doctor's statement if the duration of the illness exceeds three (3) consecutive working days.

(f) Absence due to sickness in the immediate family not residing in the employee's household, and requiring the continuing presence of the employee to make arrangements for hospitalization or other care shall not exceed three consecutive workdays without approval from the Department Head.

(g) Excessive use, abuse of, or misuse of sick leave may be cause for disciplinary action or dismissal.



(h) Employees for whom a replacement must be found and who are unable to report to work for any reason listed herein must report their anticipated absence to their supervisor at least one hour prior to the start of their shift on the first day of their absence. Other employees must report their anticipated absence before the expiration of the first half-hour of the start of their shift. All employees shall report accordingly on each succeeding day of their absence unless other arrangements are authorized.

(i) Sick leave may be transferable between employees due to exigent circumstances, with the approval of the City Manager.

(j) For family medical incidents, an employee may use up to four (4) days for each discrete incident.

(k) Following the fourth (4th) occurrence of sick leave absence of one day or more in a twelve month period of time, the employee may be required to secure and present a certificate from a doctor giving information as to the circumstances involved or nature of the illness to receive pay for each subsequent absence involving sick leave in the remainder of that twelve month period. The documentation shall be sent to the Human Resources Officer to be placed in the individual's personnel file.

(l) Sick leave accumulated during former employment with the City or with another public agency may be credited to the employee upon his/her re-employment or hire with the City provided such re-employment/employment takes place within ten (10) years of the former termination date.

a. Up to 1,920 hours of previously accumulated sick leave from another public agency may be transferred to the employee's credit at a rate of two (2) to one (1) for each hour accrued as an employee of the City of New Albany.

b. Rate of accrual shall be in conformance with C.O. 155.10(a).

(m) Upon retirement or separation in good standing, full-time employees may convert unused accrued sick leave to a lump sum monetary payment on the following conditions:

(1) For the first 120 hours (15 days) of sick leave accrued, payment shall be hour for hour. Accumulated sick leave above 120 hours shall be paid at the rate of eight (8) hours pay for every 24 hours accumulated.

(2) Payment will be at the hourly rate in effect at the time of retirement or termination.

(3) Employees terminated for cause or who fail to give two weeks' written notice of intent to terminate are not eligible for the sick leave conversion benefit.

#### 155.11 SICK LEAVE RECIPROCITY

(a) During January, each permanent full-time non-union employee may receive payment in cash for a portion of unused accrued sick leave hours at the end of the preceding fiscal year, provided such employee was entitled to sick leave benefits during all of the twenty-six (26) pay periods of the previous year. Additionally, in order to participate, an employee must have at least 480 hours of sick leave after cash benefit hours are taken. Those who are eligible may cash in up to eighty (80) hours of sick leave. Eligible employees must elect, no later than September 1 of each year, to convert up to eighty (80) hours of sick leave for payment in the first full pay period in January of

Exhibit A – R-01-2024

the next calendar year (payable at the employees base rate of pay as of December 31 of the year of the election).

(b) The number of reciprocity hours paid each employee will be subtracted from the total accrued unused sick leave. The balance of unused sick leave will be carried forward each year as the current sick leave account.